

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/005281

International filing date (day/month/year)
16.12.2004

Priority date (day/month/year)
17.12.2003

International Patent Classification (IPC) or both national classification and IPC
G06F17/60

Applicant
SYMBIAN SOFTWARE LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/GB2004/005281**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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PCT/GB2004/005281**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☒ the entire international application,

☐ claims Nos.

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the whole application or for said claims Nos.

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See separate sheet for further details

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Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-23
Inventive step (IS)	Yes: Claims	
	No: Claims	1-23
Industrial applicability (IA)	Yes: Claims	
	No: Claims	1-23

2. Citations and explanations
see separate sheet

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-- NO SEARCH reasoning --**Re Item III****Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The claims relate to subject-matter for which no search is required according to Rule 39 PCT. Given that the claims are formulated in terms of such subject-matter or merely specify commonplace features relating to its technological implementation, the search examiner could not establish any technical problem which might potentially have required an inventive step to overcome. Hence it was not possible to carry out a meaningful search into the state of the art (Art. 17(2)(a)(I) and (ii) PCT; see PCT International Search Guidelines, Chapter 9).

1. The present application does not meet the requirements of Article 17(2)(a) PCT, and Rule 39.1 (iii) PCT because the subject-matter of claims 1-20 define an administrative/business method (comparing contact entities) and claims 21 - 23 define a computer device and a computer software for computerized processing of comparison of contact entities.

Interpreting claims 1-23 based on FIG. 1 and the description, only standard hardware components are illustrated, without essentially changing the network structure of the system (page 1 to page 9, general-purpose computer, mobile phone, personal organizers and laptop computers, for automating the identification of mutual contacts linking strangers belonging to different clusters in a social network). The claims 1-23 encompass embodiments for an improved method for establishing mutual contacts within a social group existing either in a business or a personal context with no-technical or general technical meaning and serve merely definitional purposes.

2. The examiner points out that the contribution of the present application apparently resides only in a computer-implementation of an administrative/social scheme that is, to develop an administrative method/model for an improved method for establishing mutual contacts in a social network (see page 3, lines 5-7; and page

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3, lines 30 - 34) and claims which merely specify commonplace features relating to the technological implementation of such social method/model. Therefore the search examiner cannot establish any technical problem which might potentially have required an inventive step for it to be overcome. In this case it is not possible to carry out a meaningful search into the state of the art (Article 17(2)(a) PCT).

In all claims, the comparison, contact entities is essentially implemented by general software programming. This is used to implement an administrative / social scheme, without changing the underling hardware/network.

Having regard to the rather few technical aspects claimed in the application, the closest prior art appears to be a general purpose computer and a network (computer network) as cited by the applicant page (page 3, last five lines). Such a general purpose computer device form part of the common general knowledge.

The claimed subject-matter is distinguished therefrom for implementing the essentially social and an administrative-related aspects (see page 8, establishing social common connections, conversational approach and meeting between strangers).

From the point of view of the relevant person skilled in the art, the task of programming a computerized interface for establishing common social connections or implementing an social/administrative/commercial features on such a system is *per se* a normal and obvious aim.

It appears that the implementation of a method/model for establishing mutual contacts is a routine programming measure well within the reach of the skilled person.

Thus, the present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-23 does not involve an inventive step in the sense of Article 33(3) PCT.

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3. Furthermore, no International Preliminary Examination is to be carried out according to Article 34(4)(a)(ii) for subject-matter referring to a social/administrative/business method within the meaning of Rule 67.1 (iii).